

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO

In re Kay A. May,	)	No. 15-51137-amk
	)	Chapter 13
Debtor	)	Judge Alan M. Koschik

**ADVERSARY COMPLAINT UNDER SECTION 523(a)(6)**

Adversary plaintiff, Evin King, by and through his counsel, Loevy & Loevy, and complains of defendant, Kay May, as follows:

1. This is a core proceeding over which this Court has jurisdiction under 28 U.S.C. § 157(b).
2. Defendant Kay May is a debtor in this Chapter 13 bankruptcy case. Plaintiff is a creditor of the Defendant Kay May.
3. Defendant Kay May is seeking discharge herein under section 1328 of the Bankruptcy Code.
4. This is an adversary proceeding to determine whether a debt is dischargeable.
5. On October 10, 2018, Evin King filed a federal civil rights lawsuit under 42 U.S.C. §1983 in the United States District Court for the Northern District of Ohio against Defendant Kay May (among others) in connection with Ms. Kay's investigation and the subsequent prosecution of MR. King for a crime that he did not commit. *See King v. Matuszny, et al.*, No. 1:18-CV-2353 (N.D.Ohio) (complaint attached as Exhibit 1). May's actions resulted in Mr. King's wrongful conviction and subsequent imprisonment for 23 years before new evidence was

discovered and his conviction were overturned in 2017. This lawsuit is currently pending before Judge Dan A. Polster.

6. On March 29, 2019, counsel for Defendant May filed a notice of bankruptcy petition in Mr. King's civil case.

7. The debt, which is yet to be determined as the claim is currently pending, is non-dischargeable under 11 U.S.C. § 523(a)(6).

WHEREFORE, Evin King prays that the Court determine that the debt of Defendant Kay May to Plaintiff is non-dischargeable; that the Plaintiffs' judgment, yet to be determined as the claim is still pending in the United States District Court for the Northern District of Ohio, is not discharged; that any bankruptcy-related stay be lifted in *King v. Matuszny, et al.*, No. 1:18-CV-2353 (N.D. Ohio) (see King's Motion for Relief from Stay); and that Plaintiffs have such other and further relief as is just.

Respectfully submitted,

s/ Mark Loevy-Reyes

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*Counsel for Plaintiff Evin King*

CERTIFICATE OF SERVICE

I, Mark Loevy-Reyes, an attorney, hereby certify that on April 4, 2019, I served via CM/ECF the foregoing Adversary Complaint.

s/ Mark Loevy-Reyes  
Attorney for Plaintiff Evin King